

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOESEPH SOUTHWELL et al.,

Plaintiffs,

v.

MORTGAGE INVESTORS  
CORPORATION OF OHIO, INC.,

Defendant.

CASE NO. C13-1289 MJP

ORDER ON PLAINTIFFS' MOTION  
FOR RELIEF FROM A DEADLINE  
PURSUANT TO LOCAL RULE  
7(D)(2)(A)

THIS MATTER comes before the Court on Plaintiffs' Motion for Relief from a Deadline pursuant to LCR 7(d)(2)(A). (Dkt. No. 142.) Having reviewed the Motion, Defendant's Response (Dkt. No. 144), Plaintiffs' Reply (Dkt. No. 148), and all related papers, the Court hereby DENIES the motion.

According to LCR 16(b)(4), parties are bound by a Court's scheduling order; the schedule may be modified only upon a showing of good cause and with the judge's consent. Plaintiffs have not shown good cause to extend the dispositive motion deadline, particularly in light of the history of the case so far. As Defendant points out, in asking for extensions to the

1 class certification deadline Plaintiffs asserted that they did not intend to file dispositive motions.  
2 (See Dkt. No 42; 43.) Now, on the day of the dispositive motion deadline, they request an  
3 extension on the basis of the one-way intervention rule. (Dkt. No. 142.) But as Defendant argues,  
4 Plaintiff could have filed a motion for summary judgment and asked the Court to exercise its  
5 discretion to decide the summary judgment motion prior to issuing an order on class  
6 certification. (Dkt. No. 144 at 10.)

7 The Motion for Relief from a Deadline is therefore DENIED.

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9 The clerk is ordered to provide copies of this order to all counsel.

10 Dated this 8th day of July, 2014.

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14 Marsha J. Pechman  
Chief United States District Judge